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Security Council

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Letter dated 19 June 2009 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

It has now been a year since clashes took place between our armed forces and those of Eritrea along our common border. On 10 June 2008, Eritrea illegally invaded our territory, occupying Ras Doumeira and Doumeira Island. In the resulting clashes soldiers were killed, wounded and taken prisoner.

Since the outbreak of hostilities, international and regional organizations, the Secretary-General of the United Nations, the African Union, the League of Arab States, the Organization of the Islamic Conference, the Intergovernmental Authority on Development, friendly States and personalities have all offered to mediate and worked to find a peaceful solution to the border conflict. Those initiatives were rejected by the authorities of Eritrea. The end result was the adoption of Security Council resolution 1862 (2009).

The Members of the Security Council welcomed the efforts of the international, regional and subregional organizations to assist the parties in reaching a negotiated solution.

Since the withdrawal of Djibouti's forces from the conflict zone as requested by the Security Council, new developments have been reported in the Ras Doumeira and Doumeira Island area.

Eritrea has boosted the strength of its occupation forces in the area. Those forces have even undertaken significant construction work, which suggests that they intend to make permanent their military installations on Ras Doumeira and Doumeira Island.

In the course of this year, the Security Council has spared no effort in calling on Eritrea to comply with Security Council resolution 1862 (2009). Six months after its adoption on 14 January 2009, the resolution has still not been implemented.

The Members of the Security Council unanimously demanded that Eritrea comply immediately with paragraph 5 of the resolution, including by withdrawing its forces and all their equipment no later than five weeks after the adoption of the resolution.

The Asmara authorities rejected the resolution the very next day after its adoption, describing it as an ill-considered, unbalanced and unnecessary resolution against Eritrea.

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By virtue of resolution 1862 (2009), the Security Council requested the Secretary-General to provide to it a report on the evolution of the situation, and on the compliance by both parties with their obligations, no later than six weeks after the adoption of the resolution.

At the same time, other organizations reiterated their support for the Security Council. In particular, the African Union called for the speedy implementation of resolution 1862 (2009), and requested the Commission to maintain consultations with the United Nations and other stakeholders with a view of contributing to the early resolution of the conflict.

On 30 March 2009, the Secretary-General indicated in a two-page letter (S/2009/163) that Eritrea had not complied with the various requests contained in the resolution. He requested more time in order to pursue contacts with regional parties and organizations.

The most recent consultation with a senior official of the Department of Political Affairs was held on 26 April 2009 by the Permanent Representative of Mexico, who was President of the Security Council for that month. Although the original deadline had already been extended, the senior official asked the Security Council for a few additional weeks in order to provide a more detailed report and engage discussions with the Eritrean party. Although two months have now passed since that date, we have not yet received any information from the Secretariat concerning the follow-up to that request.

Moreover, our patience is really wearing thin, and our love of peace and security in the region cannot induce us to wait indefinitely.

We are well aware of Eritrea's official position, which has been expressed time and time again. In particular, Eritrea reacted to the final document of the recent Ministerial Meeting of the Coordinating Bureau of the Non-Aligned Movement, which supported Security Council resolution 1862 (2009), by stating that it was not occupying an inch of Djiboutian territory and had no claim over Djiboutian territory (see the Eritrean statement annexed to this letter).

Can one still hope for an irrevocable position such as this one to be softened?

In conclusion, the foregoing information is meant to draw your attention to the fact that to this day, a part of our territory remains under Eritrean occupation, strongly suggesting Eritrea's intention to stay in that part of our territory for good.

The Republic of Djibouti has thus far shown considerable patience. My Government therefore requests that action should be taken on this matter as soon as possible.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Robert **Olhaye**

Annex to the letter dated 19 June 2009 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

[Original: English]

Reservation by the delegation of the State of Eritrea on paragraph 239 of the Final Document of the Ministerial Meeting of the Coordinating Bureau of the Non-Aligned Movement, Havana, 29/30 April 2009

The delegation of Eritrea has strongly objected to the inclusion of the above-mentioned paragraph in the Final Document of the Ministerial Meeting. Eritrea objects to the paragraph for the following reasons:

- The so-called border conflict is non-existent. It was fabricated to divert Eritrea from its efforts to reclaim its territories which remain under the illegal occupation of Ethiopia years after the final and binding demarcation of the border between the two countries by the Eritrea-Ethiopia Boundary Commission.
- Eritrea has not occupied an inch of Djiboutian territory and does not have any claim over any Djiboutian territory. Therefore Eritrea is obliged to withdraw from its own sovereign territory.
- In these circumstances, any call for Eritrea to withdraw from its own territory is in violation of international law and the principle of the respect for the sovereignty and territorial integrity of States. Hence such a request is unacceptable under any circumstances.
- Accordingly, Eritrea has immediately opposed the resolution adopted by the United Nations Security Council on this issue. The resolution was drafted and pushed by France which has a military base in Djibouti and has officially taken sides against Eritrea.
- This fabricated "border conflict" and the diplomatic manoeuvring surrounding it is part and parcel of the diplomatic offensive against Eritrea orchestrated by the Bush administration and certain neighbouring countries with sinister motives.
- Even so, Eritrea's desire is to cultivate and maintain good-neighbourliness for the sake of regional peace and stability as demonstrated by its restraint from reciprocating and engaging in a hostile campaign against Djibouti.
- Eritrea wishes to underline again that it will not be plunged — through provocations, enticements and other false accusations — into this fabricated crisis to become a scapegoat for the failed misguided policies of certain countries in our region.

Ministry of Foreign Affairs
Asmara, Eritrea

7 May 2009